

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

JERRY NGOME KOMANDO, )  
Petitioner, )  
v. ) C.A. No. 1:22-cv-00425-SE  
WARDEN, FCI BERLIN, )  
Respondent )

**DECLARATION OF STEPHANIE SCANNELL-VESSELLA**

I, STEPHANIE SCANNELL-VESSELLA, hereby make the following declaration:

1. I am currently employed by the United States Department of Justice, Bureau of Prisons (“BOP”) as a Senior Attorney at the Consolidated Legal Center in Devens, Massachusetts (“CLC Devens”). I was employed by the BOP from October 2002 through July 2006 as a Paralegal Specialist and returned to the BOP as a Staff Attorney in May 2013.
2. To perform my official duties, I have access to records regarding federal prisoners maintained in the ordinary course of business in the BOP, including but not limited to inmate central files and records maintained on the BOP’s electronic database, SENTRY.
3. I provide this declaration in response to the Court’s request for more information following a hearing on January 12, 2023, in the above-captioned case, filed by Jerry Ngome Komando, Reg. No. 58776-177 (“Petitioner”).
4. During his current term of incarceration, Petitioner has consistently been scored as a low risk of recidivism under the risk assessment tool developed pursuant to 18 U.S.C. § 3632. His risk assessments occurred on January 13, 2022; April 11, 2022; September 26, 2022; and December 13, 2022. Attached are true and accurate copies of Petitioner’s Risk Assessments, respectively, as ***Attachments A-D***.
5. Petitioner’s Unit Team at FCI Berlin advised they recommended various programs for him. Specifically, they encouraged Petitioner to complete a Parenting program offered by the Education Department and a Vocational Training program of his choice, such as Weatherization, Carpentry, Electrical, or Custodial Maintenance. While Petitioner has not yet completed such programs, he has not actively refused them such that he would be considered in “opt-out” status as defined in 28 C.F.R. § 523.41(c)(5).<sup>1</sup>

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<sup>1</sup> A true and accurate copy of the Individualized Needs Plan for Jerry Ngome Komando, Reg. No. 58776-177, dated December 30, 2022, is attached hereto as ***Attachment E***. A true and accurate copy of the Individualized Needs Plan for Jerry Ngome Komando, Reg. No. 58776-177, dated October 5, 2022, is attached hereto as ***Attachment F***.

6. I previously represented that, based on existing knowledge and belief, a rough estimate of the maximum amount of First Step Act time credits (“FSA credits”) Petitioner could have earned was 210. However, upon further review, I realized Petitioner did not arrive at his designated BOP facility until December 16, 2021.<sup>2</sup> Accordingly, Petitioner is precluded from earning FSA credits before that date. *See 28 C.F.R. § 523.42(a)* (“An eligible inmate begins earning FSA Time Credits after the inmate’s term of imprisonment commences (the date the inmate arrives or voluntarily surrenders at the designated Bureau facility where the sentence will be served.”)).
7. Based on my current knowledge and understanding, I believe a more accurate rough estimate of Petitioner’s credits would be 10 days for every 30 days for the time period from December 16, 2021, to September 26, 2022 (Petitioner’s second consecutive “low” assessment), and 15 days for every 30 days for the time period from September 26, 2022, to the present. This equals approximately 150 credits, resulting in a projected release date on or about April 1, 2023 (assuming no changes to Petitioner’s good conduct time under 18 U.S.C. § 3624(b)).

I declare the foregoing is true and correct to the best of my knowledge and belief, and given under penalty of perjury pursuant to 28 U.S.C. § 1746.

Executed this 17<sup>th</sup> day of January, 2023.

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Stephanie Scannell-Vessella  
Senior Attorney  
FMC Devens

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<sup>2</sup> A true and accurate copy of Petitioner’s Admission and Release History is attached hereto as *Attachment G*. “DAL” is Dalby Correctional Institution, a BOP contract facility; “BER” is FCI Berlin; and “9-L” is a code indicating inmates are in the custody of the U.S. Marshals Service or another law enforcement agency.